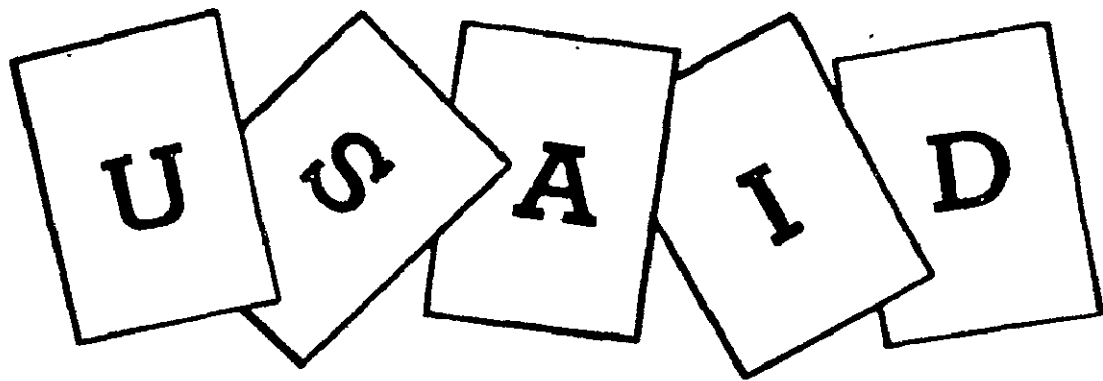


**Public  
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Bulletin  
Vietnam**



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**No. 53**

P R E F A C E

The Public Administration Bulletin for Vietnam, published by the Public Administration Division, Agency for International Development, Saigon, Vietnam, attempts to report latest developments in the legislative, judicial, executive and autonomous branches of the Government of Vietnam, as well as other items of interest in the broad field of public administration. The Bulletin is published periodically with frequency of issues dependent upon the importance, urgency and volume of materials available. Readers are invited to comment, or to suggest timely materials which will contribute to the strengthening of Vietnamese administration and management at all levels of government.

To receive copies, or to submit contributions, write to the Editor, USAID/ADLD/PA, APO San Francisco 96243. Locally, copies of the Bulletin are available in Room 602, Lien Hoa Building, 275 Pham ngu Lao Street, Saigon, or by telephoning 93083 to 93090, Extension 4092.

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REPUBLIC OF VIET NAM  
PRESIDENT'S OFFICE

5 March 1970

LAW 2/70

SUBJECT: Elections of Saigon Prefecture, Province and  
City Councils.

Considering the Constitution of the Republic of Vietnam,  
1 April 1967; and after discussion and vote by the National  
Assembly, the President of the Republic of Vietnam promulgates:

CHAPTER 1

GENERAL

Art. 1 - The Saigon Prefectural, Province, and City  
Councillors will be elected by universal, direct and secret  
vote, and with simple majority.

Art. 2 - In Saigon Capital, and other Provinces and Cities  
which have been divided into District or Precincts, each  
Administrative District or Precinct is a constituency.

The constituency in a City which has not been divided into  
Precincts is the whole City itself.

Administrative Envoys Areas, except Con Son Island, if  
meeting with communication difficulties, can be considered  
an administrative District and may establish independent  
constituencies of their own.

Art. 3 - The number of Councillors of each Council and the  
composition of constituencies will be fixed by a Prime  
Minister's Decree, according to specific situation of each  
locality and within the limit of six to thirty six Councillors.

Each administrative District will elect at least one Councillor.

Art. 4 - The elections of Saigon Prefectural Province and City Councils will be organized on Sunday 26 April, 1970.

Art. 5 - In localities where elections cannot be organized due to circumstances beyond control, the Saigon City Mayor, Province Chiefs and City Mayors concerned, with the consent of the local Election Board, are entitled to postpone the elections to a near and more favorable day of the current week.

Art. 6 - A local Election Board will be established in Saigon Capital and in each Province and City. They will be charged with examining and deciding on the voters lists, the candidates lists and checking the election returns in the locality.

The composition of this Board is as follows:

- The Chief Judge of the Court of First Instance, the Court of Peace with Extended Jurisdiction, or the Court of Peace, or in case there is no Court in the locality a Judge appointed by the Supreme Court, Chairman.
- One Deputy of the locality or his representative, Member.
- Two local Councillors or non-candidate notables appointed by the Prefect, Province Chief or City Mayor, Member.
- One Representative of the Saigon City Hall, or of the Province Headquarters or City Hall, Rapporteur (entitled to vote).

## CHAPTER II

### VOTERS

Art. 7 - The voters for the Saigon Prefectural, Province and City Councils are Vietnamese nationals, of both sexes, who are eighteen years old or older as of 31 December 1969. Voters must have their names inscribed on the voting lists, and must hold legal voting cards, except individuals who have been deprived of civic rights by the Tribunal.

Each citizen will be authorized to have his name registered on one voting list only.

Art. 8 - The voting list of each Phuong in Saigon City will be established by the Precinct Chief and will be posted for the first time on 23 February 1970, at the Precinct Administrative Office and at the Phuong Chief's Office.

The voting lists of each Village in the Province will be established by the Village Chief with the District Chief's endorsement posted on the above-mentioned day at the Village and Hamlet Offices.

The voting list of each Quarter in Cities established by the Precinct Chief or City Mayor will be posted on the above-cited day at the Quarter's Office.

The voting list of military voters and their relatives residing in barracks will be established by Battalion Commanders for Regular Forces units, and by Company Commanders for Regional Forces Units, then transmitted to the concerned City Mayor or District Chief for signature before posting.

A copy of the voting list of the Phuong, Quarters and Villages will be also posted at the City Hall, Province and District Office, respectively.

Any voter changing residence and wishing to vote at his new

residence should report his transfer to local authorities (at Phuong, Quarter, District and Village Offices) as prescribed by the current procedures of declaration for residence certificate, on 26 January 1970 at the latest.

Art. 9 - Those civil servants and servicemen who are on official mission, transfer or in circumstances beyond their control which prevent them from coming back in time to the place where their names are enrolled on the voting list, will be entitled to vote in the locality where they are present on election day without having their names registered beforehand on that voting list.

These civil servants and servicemen should present, besides their voting cards, certificates issued by competent authorities certifying that they have been under one of the above-cited circumstances. In this case, the senior officer of the ballot room should make a supplementary voting list and forward it to the local Election Board.

Art. 10 - He who is entitled to vote but whose name is omitted from the voting list, or who finds some error in the registration of his name in the voting list will have the right to complain.

Written complaints should be submitted at the Phuong Quarter or Village Office by 14 March 1970 at the latest. The Agencies which receive these complaints will issue a receipt to the applicants and transmit them (with their comments) through administrative channels to Mayor's Office, Province Office, or City Hall. After the period for reception of complaints has expired, the voting lists together with complaints, if any, will be forwarded by the City Mayors or Province Chiefs to the Election Board specified in Article 6 above, for examination and decision, by 19 March 1970, at the latest.

This Election Board must examine and decide on the voting lists, then return them to the administrative authorities concerned by 21 March 1970, at the latest.



The administrative authorities concerned will post the voting lists for the second time in those places specified in Article 8 by 27 March 1970 at the latest.

Art. 11 - The procedures for establishment and issuance of voting cards will be fixed by a Decree of the Ministry of Interior.

### CHAPTER III

#### CANDIDATES

Art. 12 - Entitled to stand as candidates for elections of the Saigon, Province and City Councils are all citizens of both sexes who:

1. Are of Vietnamese nationality, at least for five years as of the election day
2. Are at least twenty five years old, as of the election day
3. Enjoy full civic rights
4. Were born in Saigon City, in concerned Provinces or towns, or have resided in those places, for at least six consecutive months prior to the election day
5. Are in a legal draft status (this condition does not apply to female candidates)
6. Are not included in the cases stipulated in Articles 13 and 14

Art. 13 - Not eligible to stand as candidates:

1. Those who have been subjected to criminal sentences
2. Those who have been sentenced for minor offences, such

as theft, defrauding, breach of trust, counterfeiting, indecency, bribery, abuse of power and public embezzlement

3. Those who have been sentenced for three months of imprisonment and over for other minor offences, except for negligence or inadvertence. However, those who have been sentenced for having fled after causing a traffic accident, will also be disqualified as candidates.
4. Those who have been deprived of civic rights by the Tribunal or had their voting right annulled according to the laws in force
5. Those who are under guardianship or who are insane
6. Those who have declared bankruptcy and have not yet been rehabilitated
7. Those who are charged with not obeying draft laws.
8. Those civil servants, servicemen and government officials of all branches and grades who have been suspended, removed from function, separated, discharged or resigned by disciplinary measures
9. Those who failed in previous elections and did not reimburse the indemnity to the public fund
10. Those who directly or indirectly operated for the Communists or pro-communist neutralists.

The above-stated Paragraphs 1, 2, 3, 4 and 8 are not applicable to those whose civic rights have been restored according to the procedures fixed by Decree 4/63 of 24 December 1963 or pardoned by Decree 083-SL/CT of 29 January 1964 and subsequent documents.

Art. 14 - Not eligible to stand as candidate within their own area of jurisdiction:

1. Saigon City Mayor, Saigon City Hall's Secretary General, Deputy City Mayors and their Assistants, Chiefs and Deputy Chiefs of Province, City Mayors and Deputy Mayors, Chief and Deputy District Chiefs and Assistants to District Chiefs
2. Judges of the Court of First Instance, Court of Peace with Extended Jurisdiction or Court of Peace
3. ARVN Officers who are Commanders, Deputy Commanders or Chiefs of Staff of a military zone equal to a sub-Sector or larger, or who are commanding an ARVN unit of Company size or larger
4. Chiefs of Static Census Grievances Centers; Chiefs of Standing Board of the Pacification and Development Councils in Saigon, in the Provinces and Cities; Chiefs of Province and City RDC Control Groups; National Police Service Chiefs and their Assistants; Commanders of Police Field Force Companies; Commanders of para-military units or civilian armed units ranking from Section Chief or equal to Company Commander or higher.

Besides, these officials cannot stand as candidate in their former jurisdictions if they have left their functions less than six months.

Art. 15 - Civil servants or servicemen who will stand for election must be temporarily released without pay from the expiration date for receipt of candidate's applications to the end of the election day.

Service or Unit Chiefs concerned must issue to their subordinate personnel a certificate for leave without pay, at the latter's request.

Art. 16 - Each candidate is authorized to stand for election in one constituency only.

The candidacy application bearing clearly the constituency appellation should be submitted by the applicants in person to the Mayor's Offices, the Province or City Office by 18:00h 14 February 1970, at the latest, and should have the following papers attached:

1. Birth certificate or affidavit
2. Judicial Record, Form 2, not over three months old
3. Certificate of service or certificate of legal draft status, for male candidates
4. Certificate of temporary leave without pay, for civil servant or servicemen candidates
5. Certificate of residence issued by competent authorities, if the candidate is not native of the place where he stands for election
6. Receipt of estimated expenditures deposited for election campaign
7. Candidate's insignia
8. Full names and address of the candidate's representative
9. Certificate of Vietnamese nationality, reinstatement of Vietnamese nationality

The agency which receives the application should issue a receipt to the candidate.

Art. 17 - The names of the candidates of each constituency will be classified in chronological order based on the hour, date and month the candidate submits his application.

The name lists will be posted for the first time on 2 March 1970, at the Administrative Offices of Phuong, Villages, Quarter, District, Province Offices and City Halls.

Complaints against candidates, if any, must be submitted to the Saigon City Hall, Province and City Administrative Office, from 3 March 1970 to 17:30 hours of 9 March 1970. The candidates' name lists and complaints, if any, will be transmitted on 11 March 1970 at the latest to the above-mentioned local Election Board for examination and decision.

This Election Board will decide on whether to register the names or to bar them from the candidates' list, from 11 March 1970 to 17 March 1970.

Candidates who are the subject of complaints are entitled to read the dossiers and to defend themselves.

The Board should convene these candidates at a meeting organized no later than 18 March 1970, to officially inform them of its decision to register their names or to bar them from the slate.

From 19 March to 21 March 1970, the disqualified candidates have the right to submit to the Council their request for re-examination of the decision to bar their names. The Board should forward these requests and concerned dossiers to the Central Election Board as stipulated in Article 18 not later than 24 March 1970.

Art. 18 - A Central Election Board with the following composition will be established in Saigon.

- The Chairman of the Supreme Court or  
his Representative..... Chairman
- A Senator appointed by the Senate..... Member
- A Deputy appointed by the Lower House..... Member
- An Administrative Judge appointed by the  
Chairman of the Supreme Court..... Member

- A Prosecutor-Judge appointed by the  
Minister of Justice..... Member
- The President of the Bar of Attorneys  
or his Lawyer Representative..... Member
- A Representative of the Ministry of  
Interior..... Rapporteur  
(Having right  
to vote)

Art. 19 - The Central Election Board is responsible for re-examination of the decision of the local election boards to bar the candidates' names on the slate. The Central Election Board will examine these dossiers from 25 March to 31 March 1970.

The Central Election Board will forward to the Ministry of Interior the examined dossiers to be returned to the concerned local administrative authorities by 2 April 1970, at the latest.

The Central Election Board must inform the local Election Boards of the results by the quickest means and, at the same time, forward to the Ministry of Interior the examined dossiers to be returned to the concerned local administrative authorities.

The candidates' slates will be posted for the second time on 6 April 1970.

Art. 20 - Local Administrative agencies must make a report each time the candidates' slates or the voting lists are posted and upon expiration of the time limits for complaints as schedule above.

## CHAPTER IV

### CAMPAIGN

Art. 21 - An Electoral Campaign Board including a representative for each candidate, will be established in each constituency.

The candidates may change their representatives during the entire period of election.

Art. 22 - The Chairman of the Electoral Campaign Board will be elected by the candidates' representatives at the respective constituency.

This chairman is entitled to convene and conduct discussions. In case of divergence of opinions between representatives having equal ballots, the Chairman's ballot will be decisive.

Art. 23 - The Electoral Campaign Board will be convened by Saigon City Mayor, City Mayors, Province Chiefs for the first time no later than 8 April 1970.

Art. 24 - All candidates will be entitled to equal facilities for electoral campaigning.

The Electoral Campaign Board will be charged with the following tasks:

- a. Fix the size, color and form of posters and leaflets. Each candidate will have a maximum of two kinds of posters not over 65cm x 100cm and two kinds of leaflets with not over 20cm x 25cm in size;
- b. Fix the regulations for press campaigning of each candidate, if any;
- c. Organize meetings with voters for candidates or their representatives;

- d. Fix regulations for use of loudspeakers, radio and TV for constituencies having these facilities;
- e. Fix the date for posting posters and distributing leaflets, and inform Saigon City Mayor, City Mayors, Province Chiefs, District Chiefs;
- f. Stipulate the printing, transportation and distribution of leaflets and posters;
- g. Fix locations for posters.

No one may use facilities for campaigning other than those fixed by the Electoral Campaign Board mentioned in this Article.

Vietnamese language will be used in all electoral campaigning forms. However, in constituencies having Ethnic Minorities, local dialects may be used in parallel with Vietnamese language.

Art. 25 - Expenses for election will be financed by Budgets of Saigon City, Provinces or Cities concerned.

Expenses for electoral campaigns will be financed by the local budgets with two piasters (VN\$ 2) per capita voter living in the constituency for each candidate.

If there are more than ten candidates, the total expenses will not exceed twenty piasters (VN\$ 20) per capita voter for all candidates. However, the minimum expenses extended to each candidate will not be less than ten thousand piasters (VN\$ 10,000).

If the Electoral Campaign Board considers it needs greater electoral campaigning funds, the local budget will only finance the funds limited as mentioned above. Differences must be borne by the candidates themselves.



Each candidate must deposit with the Treasury ten thousand piasters (VN\$ 10,000) for his electoral campaign expenses.

In case a candidate withdraws his candidacy after the printing of documents for his campaign has been completed, or if he fails to gain 5% of the total ballots in his constituency, he will not be reimbursed the expenses deposited for his campaign.

In addition, this candidate must also refund to the local budget the difference between the expenses he deposited for his campaign and the actual expenses for the printing of his posters and leaflets if it exceeded ten thousand piasters (VN\$ 10,000).

Art. 26 - One day at the latest after the Electoral Campaign Board meets for the first time, each candidate's emblem and photo for the printing of posters, leaflets and ballots, should be sent to the Electoral Campaign Board, to be transferred to concerned administrative agencies.

The content of the posters and leaflets should be sent to the Electoral Campaign Board within a time limit fixed by this Board.

If any candidate wants to change his emblem and/or photo, he should also send his new emblem and photo to the Electoral Campaign Board within the above-mentioned date.

Candidates are free to choose their own emblem, but must not use ridiculous insignia or international, religious, military, paramilitary insignia, or insignia of public organizations. Insignia of political groups or associations may be accepted except in case of objection by the Central Executive Committee of the Group.

Insignia must not be similar to one another. The later candidate should submit a new insignia. Insignia must be considered and approved by the Electoral Campaign Board.

Candidates have priority of using again their old insignia already used in previous elections, if they wish.

Art. 27 - The electoral campaigning will officially begin on 12 April 1970 and will end at 12:00 hours sharp, on 25 April 1970.

Any candidate or his representative may request responsible authorities to report and take appropriate measures to stop any acts that violate the regulations stipulated in Article 22 and this Article.

## CHAPTER V

### VOTING AND BALLOTS COUNTING

Art. 28 - The printing of ballots will be assumed by Saigon City Hall, Province Administrative Office, City Hall. Ballots will be printed on white paper in black ink, and bound into ballots books. Each book will have order number on its cover and is made up of 100 ballots. The ballots of each candidate will be printed on the paper of rectangular size 12cm x 8cm (see form attached).

In each ballot are printed only one candidate's name and his own emblem for easy identification by voters.

The candidate's name will be printed in type not over 1cm high. His emblem is printed at the upper right corner in a 4cm x 4cm box. In addition, if technical facilities allow, the candidate's photo may be printed at upper left corner in a box of the same size as above.

All ballots of the candidates in each constituency should be printed in same color and on white paper.

Art. 29 - The location of voting places will be fixed by Saigon City Mayor, Province Chiefs or City Mayors and publicized no later than 23 April 1970.

Each voting place will be managed by a Board including:

- One Board Chief
- One Deputy Board Chief
- An even number of at least two Board members

The Board Chiefs and Deputy Board Chiefs will be nominated by Saigon Mayor, Province Chiefs or City Mayors among qualified people who know election laws well. In constituencies having Village Councils, the Deputy Board Chief will be nominated by this Council. The Board members are selected among voters who come first by the Board Chief.

Each candidate has the right to nominate one observer as eye-witness for the voting place. This observer must have a certificate issued by the candidate and certified by administrative authorities.

Observers are entitled to allowances fixed by the Ministry of Interior.

The Board Chief is responsible for supervising the election process as prescribed by election laws and maintaining order at the voting place.

The Board Chief must establish reports if there are irregularities or complaints of Candidate's representative.

The Deputy Board Chief will assist the Board Chief in above-mentioned duties and will be responsible for controlling the distribution of ballots to voters.

The voting will begin at 07:00 hours and will end at 16:00 hours sharp on the same day.

Art. 30 - The voter must go to the voting place in person for voting. He may not vote by mail or by proxy.

When entering the voting place voters may not carry weapons. Voters must show Voting Cards and Identity Cards so as to receive one envelope and one ballot for each candidate.

The officers in charge of distributing ballots must distribute sufficient ballots to voters and rotate the order of ballots being distributed to voters.

The voter will be entitled to choose the number of ballots equal to the number of Councillors fixed for each constituency. He should enter the ballot booth alone and then choose the ballot of the candidate whom he wants to vote for and put it in the envelope. He will tear or drop the unused ballots in a covered trash can placed in the booth.

When going out of the ballot booth, he brings along the envelope containing ballots, raises it up to show that he has only one envelope, then inserts it into the ballot box by himself.

The disabled voter who cannot go to the ballot room in person, may ask the Board Chief's permission to choose another voter for help. The Board Chief is competent to decide this case.

After the voter has completed balloting, one Board Member in charge of the voting place will stamp his voting card and cut one corner of this card. All these corners will be retained to count the number of voters who have gone to the poll.

Art. 31 - When the vote begins, the Board Chief will open and show the empty ballots box to voters. Then the ballot box should be locked by two different locks. One key will be kept by the Board Chief, another by the oldest Board Member.

After the vote is over, if these two keys are not available, the ballot box should be opened by other means and this fact should be mentioned in the minutes.

Art. 32 - If there are indications that the ballot counting may be interfered with, the Saigon City Mayor, Province Chiefs

or City Mayors may allow the Board in charge of the voting place to carry the ballot box to a safer location for ballot counting.

In this case, the following procedures must be strictly applied:

- a. Voters and representatives of candidates must be informed of this fact
- b. Before moving the ballots box, the Board Chief must seal up the drop-in-slot, the two locks of the box, and other necessary documents
- c. Representatives of candidates and Board Members must accompany the ballot box to a safer place for ballot counting, and this fact must be mentioned in the minutes

Art. 33 - When the vote is ended, the count of ballots will be performed as follows:

- a. The Committee in charge of the voting place will appoint a number of literate persons among the voters present on the spot to count the ballots. These persons will be distributed by table, four persons to each, to count ballots in the presence of observers representing candidates.
- b. The Board Chief opens the ballot box, and orders the count.
- c. After the count of envelopes, corners of voting cards must also be counted for comparison. If there is a difference, it must be mentioned in the minutes. The number of cut off voting card corners must equal the number of voters who went to the poll.
- d. The Board Chief distributes a number of envelopes to every table for count. At each table, the first ballot counter opens the envelope, takes out the ballots and hands them over to the second ballot counter to read aloud the full

name printed on the ballots. These ballots will be given to two other ballot counters for checking and registering in the ballot-count list. While counting, it is strictly forbidden to both first and second ballot counters to keep in hand any material which could make the ballots irregular.

Art. 34 - The following cases are considered invalid:

- a. Envelopes containing more ballots than the number of councillors fixed for the constituency. In case there are many ballots for the same candidate in an envelope, one only will be counted.
- b. Envelopes different from those distributed to voters.
- c. Empty envelopes, or those containing materials other than ballots.
- d. Envelopes and/or ballots having additional mentions or signs.
- e. Ballots not put in envelopes.
- f. Ballots having the names of the candidates either changed, or added, or reduced.
- g. Ballots torn up, or having either the first or last names of candidates torn off.

The Board Chief and one Board Member must sign irregular envelopes or ballots, and enclose them with the report citing the reason.

If irregular envelopes and ballots are not enclosed with the report, the election will be cancelled only in case the number of irregular ballots could change the election results.

Art. 35 - Upon completion of the ballot counting, the

Board in charge of the voting place must draw up a report in four copies.

The Board Chief posts up one copy in the voting place, keeps one as file, and sends the other two copies along with the dossiers to the main voting place of the constituency for the centralization of returns within this constituency.

The dossier of every voting place comprises two parts separately sealed:

Part A -

- a. Report on what has been done by the Board in charge of the voting place
- b. Ballot count lists
- c. Irregular envelopes and ballots
- d. Contested envelopes and ballots, if any

Part B -

- a. Undistributed ballots
- b. Voting lists
- c. Voting card corners cut off

Art. 36 - Each constituency must set up a main voting place.

The Board in charge of the main voting place comprises: One Board Chief, two Deputies, and an even number minimum of four Board members.

The Board Chief and members are appointed according to procedures defined in Article 29.

Candidates, or their representatives are entitled to witness the operation of the voting place.

The Board in charge of the main voting place has the duty to recapitulate the count of ballots, to make an overall report in three copies for the constituency, to post the provisional returns, and to forward all documents to the local Election Board as stipulated in Article 6.

Art. 37 - Declared elected are those candidates having obtained the highest returns. In case of a tie, the eldest is declared elected. Those who offer themselves as candidates in more than one constituency will not be considered elected in any constituency.

Art. 38 - The local Election Board stipulated in Article 6 will examine irregular and contested ballots of the constituency, count the ballots, and declare the provisional returns by constituency on 3 May 1970. Afterward, it sends a report to either the Saigon City Mayor, Province Chief, or City Mayor, to be forwarded to the Ministry of Interior.

The final election returns will be published by the Ministry of Interior through a Decree.

## CHAPTER VI

### COMPLAINTS AND DISPUTED CLAIMS

Art. 39 - Both voters and candidates have the right to complain against irregularities committed in the election held in their constituency.

Complaints must be furnished in three copies with reasons cited, and submitted to the local Election Board Office from 27 April 1970 to 30 April 1970 at the latest.

Complaints sent after the deadline will not be considered. Upon receiving a complaint, the local Election Board



Office must issue a receipt to the complainer as acknowledgment of reception, and stamp the receipt date on the complaint.

The Board must notify the concerned candidate of the complaint through administrative channels without delay and inform him that he has five days to submit a rejoinder to the Board's Office.

Art. 40 - On expiration of the deadline, complaints and rejoinder if any, and part A of the ballot dossier must be transmitted to the Administrative Court through the Ministry of Interior.

The Administrative Court will judge within fifteen days as from the date the dossier is received.

Art. 41 - Both parties concerned may appeal to the Supreme Court against the Administrative Court's verdict. The appeal furnished in three copies with reasons given must be dispatched to the Administrative Court, or Supreme Court within five days as from the date of acknowledging reception of the judgement notification. With regard to candidates living over 100kms far from the Capital, the above duration will be extended for one more day.

Appeals may be sent through registered mail. The stamped date of the mail will allow the Supreme Court to determine if these were made within the prescribed time.

In provinces and cities, when forwarding appeals as stipulated in the foregoing two paragraphs, defendants must submit two copies to the Province Administrative Office or the City Hall concerned. The Province Chief, or Mayor, will send without delay through administrative channels one copy of the appeal to the complainer and will inform him that he has to forward a counter plea in triplicate directly to the Supreme Court within five days. After carrying out the above notification procedure, the Province Chief or Mayor must so inform the Supreme Court.

Particularly in the Capital, the appeal notification procedure will be carried out by the Supreme Court.

The Supreme Court will judge the case within fifteen days from the date the dossier is received.

Art. 42 - Violation of freedom and fairness in the election of the Saigon Prefectural Council, Provincial Councils, and City Councils will be subjected to penalties based on Articles 35-47 of Law 001/67 of 15 June 1967 fixing procedures for the election of the President and Vice-President.

Art. 43 - Unsuccessful candidates having obtained less than the minimum requirement of 5% of the total of ballots, and failing to reimburse the amount fixed under Article 25 within three months after the election returns are made public, will be requested by government authorities through necessary lawful procedures, to refund the above amount to the National Budget.

These may be also sentenced from one to three months of imprisonment due to the non-refundment.

Art. 44 - Pleas must be submitted to the Court of First instance, or the Court of Peace with Extended Jurisdiction in the locality four days at the latest after the election date.

The Court in charge of the case must judge from 27 April 1970 as the earliest date, and no later than May 1970.

Appeal duration is fixed for four days from the date sentence is passed. The Court of Appeal must judge by 20 May 1970 at the latest.

The final appeal duration is fixed for four days from the date the sentence is passed. The Supreme Court must judge by 27 May 1970 at the latest.

Art. 45 - If successful candidates are to be sentenced

under Articles 36, 37, 38, 39 and 43 of the afore-mentioned Law 001/67 of 15 June 1967, the Court may declare election of these candidates invalid.

Art. 46 - Elected candidates prosecuted before Administrative Courts are entitled to take office pending the final verdict.

If tried before judicial courts, elected candidates will not be allowed to attend the Council's activities, until the judgement becomes conclusive with either non-suit or acquittal.

Art. 47 - Procedural trial records, and judgement on the above electoral issues are exempted from registration fees and stamp duties.

All verdicts relating to the election, if any, must be notified within five days to the Ministry of Interior, and to the Saigon City Hall, Province Headquarters or City Hall, respectively.

Art. 48 - In case the election of a candidate is declared invalid, a by-election will be held within three months maximum.

Art. 49 - The Prime Minister may promulgate a Decree changing the election schedule defined in this Law. However, the election must be organized in June 1970 at the latest.

Art. 50 - This Law will be published in the Official Journal of the Republic of Vietnam.

Saigon, 5 March 1970

s/ Nguyen van Thieu

BALLOT FORM

Election of Saigon Prefectural Council, Provincial, and  
City Councils

4 cms

Photo	Election of Council of..... Held on 26 April 1970	Insignia
NGUYEN VAN X (1cm)		

12 cms

Seen by:

To be enclosed with Law 2/70 of 5 March 1970

s/ Nguyen van Thieu

Republic of Viet Nam  
Prime Ministry

-----  
Decree 31-SL/NV

SUBJECT: Change of Prefectural, Provincial and City  
Councils Election Calendar

Considering the Constitution of the Republic of Vietnam, 1 April 1967; Decree 394-TT/SL, 1 September 1969 fixing the Government composition; Order 57-a, 24 October 1956 determining the organization of the National Administration; Decree 67-NV, 68-NV, 69-NV, 9 April 1965, and subsequent documents establishing Prefectural, Provincial and City Councils; Law 2/70, 5 March 1970 fixing the election of Prefectural, Provincial, and City Councils, especially Article 49 of Law 2/70; and recommendation of the Minister of Interior, the Prime Minister decrees:

Art. 1 - Based on Article 49 of Law 2/70, 5 March 1970, the election of Prefectural, Provincial, and City Councils will be held on Sunday, 28 June 1970 instead of 26 April 1970. The election calendar planned under this Law is changed regarding the following Articles:

#### CHAPTER I

##### Voters

Art. 2 - The deadline to make change of residence, or to update family census certificate is 30 March 1970 instead of 26 January 1970.

Art. 3 - Voting lists will be posted for the first time on 21 April 1970, instead of 23 February 1970.

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Art. 4 - Complaints against mistakes in voting lists will be submitted on 1 May 1970 at the latest instead of 14 March 1970. Voting lists and complaints will be forwarded to the local Election Board on 11 May 1970 at the latest instead of 19 March 1970. The Board will consider the voting lists, take decision, and return them to concerned Administrative Authorities on 18 May 1970 at the latest instead of 21 March 1970.

Art. 5 - Voting lists will be posted for the second time on 26 May 1970 at the latest instead of 27 March 1970.

## CHAPTER II

### Candidates

Art. 6 - Candidacy applications and complete dossiers will be submitted by concerned candidates in person respectively to Saigon City Hall, Provincial Administrative Office, or City Hall on 13 April 1970 at 1800 hours at the latest instead of 14 February 1970.

Art. 7 - Slates will be posted for the first time on 21 April 1970 instead of 2 March 1970.

Art. 8 - Complaints against candidates will be submitted respectively to Saigon City Hall, Provincial Administrative Office, or City Hall from 22 April at 1730 hours to 28 April 1970 instead of from 3 March at 1730 hours to 9 March 1970.

The slates, and complaints, if any, will be forwarded to the Local Election Board for consideration and decision on 30 April 1970 at the latest instead of 11 March 1970. This Board has to decide whether to inscribe or to cancel the names of candidates under complaints in the slates from 1 May to 10 May 1970 instead of from 11 to 17 March 1970.

In order to make public the decisions to inscribe or to cancel candidates' names in the slates, the Board must convene candidates at the meeting held on 11 May 1970 at

the latest instead of 18 March 1970 to give them a notification.

Art. 9 - Petitions for reconsideration from candidates, whose names were cancelled will be sent to the Local Election Board from 12 May to 14 May 1970 instead of 19-21 March 1970. The deadline for the Local Election Board to forward petitions for consideration and related dossiers to the Central Election Board is 18 May 1970 instead of 24 March 1970. The Central Election Board will consider these petitions from 19 May to 30 May 1970 instead of 25-31 March 1970. The deadline for the Central Election Board to transfer already examined dossiers to the Ministry of Interior to be returned afterward to concerned Local Administrative Authorities, is 2 June 1970 instead of 2 April 1970.

Art. 10 - Slates will be posted for the second time on 3 June 1970 instead of 6 April 1970.

### CHAPTER III

#### Election Campaigning

Art. 11 - The Electoral Campaigning Board will be convened by Saigon City Mayor, City Mayors, and Province Chiefs for the first time on 9 June 1970 at the latest instead of 8 April 1970.

The official electoral campaigning will begin on 14 June and will end at 1200 hours on 27 June 1970 instead of from 12 April to 1200 hours on 25 April 1970.

### CHAPTER IV

#### Casting and Counting Votes

Art. 12 - The deadline to make public the polls will be 25 June 1970 instead of 23 April 1970.

Art. 13 - The election day printed on the votes will be 28 June 1970 instead of 26 April 1970.

Art. 14 - The local Election Board will solve problems concerning irregular votes or complaints from constituencies, control the returns and make public the temporary returns of each constituency on 5 July 1970 instead of 3 May 1970.

## CHAPTER V

### Complaints and Pleas

Art. 15 - The complaints made by voters and candidates in one constituency on irregularities should be forwarded to the local Election Board's Office on 29 June at the earliest, and on 2 July 1970 at the latest instead of from 27 April to 30 April 1970.

Art. 16 - The pleas about the violation of voting freedom and fairness should be forwarded to the Court of First Instance or to the local Court of Peace with Extended Jurisdiction on 29 June at the earliest and on 2 July 1970 at the latest.

The Court handling the case will judge it on 29 June at the earliest and on 8 July 1970 at the latest instead of from 27 April to 6 May 1970.

In case of appeal, the Court of Appeal will judge the case on 22 July 1970 at the latest instead of 20 May 1970.

Should the case be brought to the Supreme Court, this latter will judge the case on 29 July 1970 instead of 27 May 1970.

Art. 17 - The Deputy Prime Minister, Ministers without portfolio, Ministers, Deputy Ministers, Saigon City Mayor, Province Chiefs, and City Mayors will be responsible for the execution of this Decree.



This Decree will be promulgated through emergency procedures and published in the Republic of Vietnam Official Journal.

Saigon, 18 March 1970

s/ Tran thien Khiem

Republic of Vietnam  
Prime Minister's Office

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Decree 32-SL/NV

FROM : General Tran thien Khiem, Prime Minister  
TO : See Distribution  
SUBJECT: Number of Saigon Prefecture, Province and City  
Council Members, and Distribution of Constituencies

Considering the Constitution of the Republic of Vietnam of 1 April 1967; Decree 394-TT/SL, 1 September 1969, fixing the composition of the Government; Edict 57-a, 24 October 1956, fixing the organization of the National Administration; Decrees 67-NV, 68-NV, and 69-NV, 9 April 1965, and subsequent documents for the establishment of Saigon Prefecture, Province and City Councils; Law 2/70, 5 March 1970, stipulating the election of Saigon Prefecture, Province and City Councils, especially Article 3 of this Law; and on the recommendations of the Minister of Interior, the Prime Minister decrees:

Art. 1 - The number of Saigon Prefecture, Province and City Council members, and composition of constituencies are fixed in lists attached to this Decree.

Art. 2 - The Deputy Prime Minister, Ministers of State, Ministers, Secretaries of State, Deputy Ministers, Mayor of Saigon, Province Chiefs and City Mayors are responsible for the execution of this Decree.

This Decree will be promulgated through emergency procedures and published in the Official Gazette of the Republic of Vietnam.

Saigon, 18 March 1970

s/ Tran thien Khiem

Republic of Vietnam  
Prime Minister's Office

NUMBER OF SAIGON PREFECTURE, PROVINCE/CITY COUNCIL  
MEMBERS, AND DISTRIBUTION OF CONSTITUENCIES

Saigon Prefecture Provinces & Cities	Total Number of Council members	Constituencies concerned		
		Order number of local constituencies	Locale	Number of Council Members by cons- tituency
(1)	(2)	(3)	(4)	(5)
Saigon Prefecture	36 members	Constituency 1	Precinct	1
		" 2	"	2
		" 3	"	3
		" 4	"	4
		" 5	"	5
		" 6	"	6
		" 7	"	7
		" 8	"	8
		" 9	"	9
		" 10	"	10
		" 11	"	11
Vung Tau City	6 members	One Constituency	Whole city	6
Dalat City	7 members	One Constituency	Whole city	7
Cam Ranh City	7 members	One Constituency	Whole city	7
Hue City	8 members	Constituency 1	Precinct	1
		" 2	"	2
		" 3	"	3
Danang City	12 members	" 1	"	1
		" 2	"	2
		" 3	"	3

Quang Nam Prov.	15 members	Constituency	1	Hoa Vang Dist.	3
		"	2	Dien Ban Dist.	3
		"	3	Hieu Nhon Dist.	2
		"	4	Thuong Duc Dist.	1
		"	5	Hieu Duc Dist.	1
		"	6	Dai Loc Dist.	1
		"	7	Duy Xuyen Dist.	1
		"	8	Que Son Dist.	2
		"	9	Duc Duc Dist.	1
Quang Ngai Prov.	17 members	"	1	Binh Son Dist.	3
		"	2	Son Tinh Dist.	2
		"	3	Tu Nghia Dist.	4
		"	4	Nghia Hanh Dist.	1
		"	5	Mo Duc Dist.	1
		"	6	Duc Pho Dist.	1
		"	7	Tra Bong Dist.	1
		"	8	Son Ha Dist.	1
		"	9	Minh Long Dist.	1
		"	10	Ba To Dist.	1
		"	11	Ly Son Adm.	1
				Subdivision	
Quang Tin	11 members	"	1	Thang Binh Dist.	3
		"	2	Tien Phuoc Dist.	1
		"	3	Ly Tin Dist.	2
		"	4	Tam Ky Dist.	4
		"	5	Hau Duc Dist.	1
Quang Tri Prov.	11 members	"	1	Mai Linh Dist.	2
		"	2	Hai Lang Dist.	2
		"	3	Trieu Phong Dist.	3
		"	4	Huong Hoa Dist.	1
		"	5	Dong Ha Dist.	1
		"	6	Gio Linh Dist.	1
		"	7	Cam Lo Dist.	1
Thua Thien Prov.	14 members	"	1	Phong Dien Dist.	1
		"	2	Quang Dien Dist.	1
		"	3	Huong Dien Dist.	1
		"	4	Huong Tra Dist.	2
		"	5	Huong Thuy	3
		"	6	Nam Hoa	1
		"	7	Phu Vang	2
		"	8	Phu Loc	1
		"	9	Vinh Loc	1
		"	10	Phu Thu	1

Binh Dinh Prov.	20 members	Constituency	1	Tuy Phuoc Dist.	7
		"	2	Phu Cat Dist.	2
		"	3	Hoai An Dist.	1
		"	4	Phu My Dist.	2
		"	5	An Tuc Dist.	1
		"	6	Binh Khe Dist.	1
		"	7	An Nhon Dist.	3
		"	8	Hoai Nhon Dist.	2
		"	9	Tam Quan Dist.	1
Binh Thuan Prov.	10 members	"	1	Ham Thuan Dist.	3
		"	2	Phu Quy Adm. Subdivision	1
		"	3	Thien Giao Dist.	1
		"	4	Hai Long Dist.	1
		"	5	Hoa Da Dist.	1
		"	6	Tuy Phong Dist.	1
		"	7	Phan Ly Cham Dist.	1
		"	8	Hai Ninh Dist.	1
Darlac Prov.	9 members	"	1	Ban Me Thuot Dist.	6
		"	2	Lac Thien Dist.	1
		"	3	Buon Ho Dist.	1
		"	4	Phuoc An Dist..	1
Khanh Hoa Prov.	12 members	"	1	Van Ninh Dist.	1
		"	2	Ninh Hoa Dist.	2
		"	3	Khanh Duong Dist.	1
		"	4	Vinh Xuong Dist.	6
		"	5	Dien Khanh Dist.	1
		"	6	Cam Lam Dist.	1
Kontum Prov.	7 members	"	1	Dakto Dist.	1
		"	2	Dak-Sut Dist.	1
		"	3	Kontum Dist.	3
		"	4	Toumoring Adm. Subdivision	1
		"	5	Chuong Nghia Adm. Subdivision	1
Lam Dong Prov.	6 members	"	1	Bao Loc Dist.	4
		"	2	Di Linh Dist.	2

Ninh Thuan Prov.	8 members	Constituency	1	Thanh Hai Dist.	4
		"	2	Buu Son Dist.	2
		"	3	An Phuoc Dist.	1
		"	4	Du Long Dist.	1
Quang Duc Prov.	6 members	"	1	Khien Duc Dist.	2
		"	2	Kien Duc Dist.	2
		"	3	Duc Lap Dist.	1
		"	4	Duc Xuyen Adm.	
				Subdivision	1
Phu Bon Prov.	6 members	"	1	Phu Thien Dist.	3
		"	2	Phu Tuc Dist.	2
		"	3	Thuan Man Dist.	1
Phu Yen Prov.	11 members	"	1	Song Cau Dist.	1
		"	2	Dong Xuan Dist.	1
		"	3	Tuy An Dist.	1
		"	4	Tuy Hoa Dist.	4
		"	5	Hieu Xuong Dist.	3
		"	6	Son Hoa Dist.	1
Pleiku Prov.	9 members	"	1	Le Trung Dist.	7
		"	2	Thanh An Dist.	1
		"	3	Phu Nhon Dist.	1
Tuyen Duc Prov.	7 members	"	1	Duc Trong Dist.	3
		"	2	Lac Duong Dist.	1
		"	3	Don Duong Dist.	2
		"	4	Dam Rong Adm.	
				Subdivision	1
Gia Dinh Prov.	27 members	"	1	Go Vap Dist.	8
		"	2	Tan Binh Dist.	8
		"	3	Hoc Mon Dist.	4
		"	4	Thu Duc Dist.	3
		"	5	Nha Be Dist.	1
		"	6	Binh Chanh Dist.	1
		"	7	Quang Xuyen Dist.	1
		"	8	Gan Gio Dist.	1
Bien Hoa Prov.	13 members	"	1	Duc Tu Dist.	7
		"	2	Long Thanh Dist.	1
		"	3	Nhon Trach Dist.	2
		"	4	Di An Dist.	1
		"	5	Cong Thanh Dist.	1
		"	6	Tan Uyen Dist.	1

Binh Duong Prov.	9 members	Constituency	1	Chau Thanh Dist.	3
		"	2	Lai Thieu Dist.	2
		"	3	Phu Hoa Dist.	1
		"	4	Ben Cat Dist.	1
		"	5	Tri Tam Dist.	1
		"	6	Phu Giao Dist.	1
Binh Long Prov.	6 members	"	1	An Loc Dist.	3
		"	2	Loc Ninh Dist.	2
		"	3	Chon Thanh Dist.	1
Binh Tuy Prov.	6 members	"	1	Ham Tan Dist.	3
		"	2	Tanh Linh Dist.	1
		"	3	Hoai Duc Dist.	2
Hau Nghia Prov.	8 members	"	1	Trang Bang Dist.	2
		"	2	Cu Chi Dist.	2
		"	3	Duc Hue Dist.	1
		"	4	Duc Hoa Dist.	3
Long An Prov.	12 members	"	1	Binh Phuoc Dist.	3
		"	2	Tan Tru Dist.	1
		"	3	Thu Thua Dist.	2
		"	4	Ben Luc Dist.	2
		"	5	Can Duoc Dist.	1
		"	6	Can Giuoc Dist.	2
		"	7	Rach Kien Dist.	1
Long Khanh Prov.	8 members	"	1	Xuan Loc Dist.	4
		"	2	Dinh Quan Dist.	1
		"	3	Kiem Tan Dist.	3
Phuoc Long Prov.	6 members	"	1	Bo Duc Dist.	1
		"	2	Phuoc Binh Dist.	3
		"	3	Duc Phong Dist.	1
		"	4	Don Luan Dist.	1
Phuoc Tuy Prov.	7 members	"	1	Long Le Dist.	2
		"	2	Duc Thanh Dist.	1
		"	3	Long Dien Dist.	2
		"	4	Dat Do Dist.	1
		"	5	Xuyen Moc Dist.	1
Tay Ninh Prov.	11 members	"	1	Phu Khuong Dist.	6
		"	2	Phuoc Ninh Dist.	1
		"	3	Hieu Thien Dist.	3
		"	4	Khiem Hanh Dist.	1

An Giang Prov.	15 members	Constituency	1	Chau Thanh Dist.	6
		"	2	Cho Moi Dist.	5
		"	3	Thot Not Dist.	3
		"	4	Hue Duc Dist.	1
An Xuyen Prov.	8 members	"	1	Quan Long Dist.	3
		"	2	Thoi Binh Dist.	1
		"	3	Hai Yen Dist.	1
		"	4	Song Ong Doc Dist.	1
		"	5	Dam Doi Dist.	1
		"	6	Nam Can Dist.	1
Ba Xuyen Prov.	12 members	"	1	Long Phu Dist.	2
		"	2	My Xuyen Dist.	3
		"	3	Ke Sach Dist.	2
		"	4	Thanh Tri Dist.	1
		"	5	Thuan Hoa Dist.	1
		"	6	Nga Nam Dist.	1
		"	7	Lich Hoi Thuong Dist.	1
		"	8	Hoa Tu Dist.	1
Bac Lieu Prov.	10 members	"	1	Gia Rai Dist.	3
		"	2	Phuoc Long Dist.	1
		"	3	Vinh Chau Dist.	2
		"	4	Vinh Loi Dist.	4
Chau Doc Prov.	14 members	"	1	Chau Phu Dist.	6
		"	2	Tan Chau Dist.	3
		"	3	Tinh Bien Dist.	1
		"	4	Tri Ton Dist.	2
		"	5	An Phu Dist.	2
Chuong Thien Prov.	9 members	"	1	Duc Long Dist.	4
		"	2	Long My Dist.	2
		"	3	Kien Huong Dist.	1
		"	4	Kien Long Dist.	1
		"	5	Kien Thien Dist.	1
Dinh Tuong Prov.	15 members	"	1	Sam Giang Dist.	1
		"	2	Chau Thanh Dist.	5
		"	3	Ben Tranh Dist.	2
		"	4	Cho Gao Dist.	1
		"	5	Cai Be Dist.	2
		"	6	Cai Lay Dist.	3
		"	7	Giao Duc Dist.	1



Go Cong Prov.	8 members	Constituency	1	Hoa Tan Dist.	2
		"	2	Hoa Lac Dist.	3
		"	3	Hoa Dong Dist.	2
		"	4	Hoa Binh Dist.	1
Kien Giang Prov.	13 members	"	1	Kien Than Dist.	5
		"	2	Kien Tan Dist.	2
		"	3	Kien Binh Dist.	1
		"	4	Kien An Dist.	2
		"	5	Kien Luong Dist.	1
		"	6	Ha Tien Dist.	1
		"	7	Phu Quoc Dist.	1
Kien Hoa Prov.	15 members	"	1	Truc Giang Dist.	4
		"	2	Ham Long Dist.	1
		"	3	Giong Trom Dist.	1
		"	4	Ba Tri Dist.	2
		"	5	Binh Dai Dist.	1
		"	6	Mo Cay Dist.	2
		"	7	Don Nhon Dist.	1
		"	8	Huong My Dist.	2
		"	9	Thanh Phu Dist.	1
Kien Phong Prov.	11 members	"	1	Gao Lanh Dist.	3
		"	2	Hong Ngu Dist.	3
		"	3	Kien Van Dist.	1
		"	4	Dong Tien Dist.	1
		"	5	Thanh Binh Dist.	2
		"	6	My An Dist.	1
Kien Tuong Prov.	6 members	"	1	Moc Hoa Dist.	2
		"	2	Kien Binh Dist.	2
		"	3	Tuyen Binh Dist.	1
		"	4	Tuyen Nhon Dist.	1
Phong Dinh Prov.	13 members	"	1	Chau Thanh Dist.	5
		"	2	Phong Phu Dist.	2
		"	3	Phung Hiep Dist.	2
		"	4	Thuan Trung Dist.	1
		"	5	Thuan Nhon Dist.	1
		"	6	Phong Dien Dist.	1
		"	7	Phong Thuan Dist.	1

Sadec Prov.	10 members	Constituency	1	Duc Thinh Dist.	5
		"	2	Duc Ton Dist.	1
		"	3	Duc Thanh Dist.	2
		"	4	Lap Vo Dist.	2
Vinh Binh Prov.	13 members	"	1	Chau Thanh Dist.	4
		"	2	Cang Long Dist.	2
		"	3	Cau Ngang Dist.	2
		"	4	Cau Ke Dist.	1
		"	5	Tieu Can Dist.	1
		"	6	Tra Cu Dist.	2
		"	7	Long Toan Dist.	1
Vinh Long Prov.	14 members	"	1	Chau Thanh Dist.	3
		"	2	Vung Liem Dist.	2
		"	3	Tra On Dist.	2
		"	4	Hinh Duc Dist.	1
		"	5	Tam Binh Dist.	1
		"	6	Binh Minh Dist.	3
		"	7	Cho Lach Dist.	2
T O T A L	554 members	267 Electoral Units			554 Council Members

In total there are, throughout the country, a Saigon Prefecture Council, five City Councils, and 44 Province Councils with 554 Council members elected by 267 constituencies.

Visaed:

For attachment to Decree 032-SL/NV,  
18 March, 1970

s/ Tran thien Khiem

Republic of Vietnam  
Office of the Prime Minister

----  
No. 004-SL/NV

THE PRIME MINISTER

Considering the Constitution of the Republic of Vietnam  
of April 1, 1967,

Considering decree # 394-TT/SL dated 1 Sept. 1969, fixing  
the composition of the Government,

Considering Ordinance # 57-a, dated 24 Oct. 1956 prescribing  
the organization of national administrative machinery,

Considering decree # 198-SL/DUHC dated 24 Dec. 1966 and  
the subsequent documents reorganizing the village/hamlet  
administration,

Considering decree # 199-SL/DUHC dated 24 Dec. 1966 and the  
subsequent documents especially decree # 003-SL/NV dated 4  
Jan. 1969 prescribing the procedures for the elections of  
village council members and hamlet chiefs, and

Considering the proposal of the Minister of Interior,

DECREES

Art. 1 - Number of time-limits for the elections of  
village council members and hamlet chiefs previously  
prescribed by Art. 1, decree # 003-SL/NV dated 4 Jan. 1969,  
(which amended decree # 199-SL/DUHC dated 24 Dec. 1966)  
are redetermined as follows:

1. Electorate

The list of electors will be posted the first time

26 days before the election day (D: 26).

The list of electors will be posted the 2nd time 12 days at the latest before the election day (D: 12).

## 2. Candidacy and election campaign

The applications of candidates should be submitted 30 days at the latest before the election day (D: 30) and the list of candidates will be posted the first time right after the deadline for submission of applications of candidates expires.

The time-limit for objections against candidates is 5 days immediately after the list of candidates is posted the first time (that is D: 28 up to D: 24).

The list of candidates and objections (if any) with comments will be transmitted to the Commission 16 days at the latest before the election day (D: 16).

The list of candidates will be posted the 2nd time, 11 days at the latest before the election day (D: 11). The Election Campaign Board will be convened at the same time.

The time for election campaign will start 5 days at the earliest (D: 5) before the election day and close exactly at 12 noon, the day preceding the election day.

No change as to the rest

Art. 2 - Vice Prime Ministers without portfolio, Ministers, Deputy Ministers are charged with the execution of this decree concerning their areas of responsibilities.

This decree shall be published in the official journal of the Republic of Vietnam.

Saigon, 9 Jan. 1970

s/ Tran thien Khiem

LAW No. 003/70 dated 26 March 1970,

ESTABLISHING THE LAND-TO-THE-TILLER  
POLICY

After discussion and vote by the National Assembly,

THE PRESIDENT OF THE REPUBLIC OF VIETNAM

promulgates Law No. 003/70 dated 26 March, 1970 fixing  
"Land-to-the Tiller Policy" having the following complete  
text:

CHAPTER I

OBJECTIVES - MEASURES TO BE APPLIED

Art. 1 - Land-to-the-Tiller Policy set forth by this law is  
aimed at:

- Providing ownership to farmers by making those people  
actually cultivating landowners and allowing them to  
receive all of the benefits from their labor
- Equal opportunity for advancement among all farmers.

Art. 2 - In order to achieve the above-mentioned objectives,  
the following measures shall be applied:

1. Expropriate with fair compensation lands which are not  
directly cultivated by landowners for distribution free  
of charge to farmers.
2. Eliminate tenancy, and land speculation by middlemen.
3. Distribution of communal riceland.

## CHAPTER II

### SCOPE OF APPLICATION

Art. 3 - This law applies to riceland and secondary cropland belonging to private persons or legal entities, under public or private jurisdiction.

Art. 4 - Lands recorded in the Land Register under the name of one owner will be considered as a single private property unit. Any transfer not registered prior to the promulgation date of this law is null and void. Lands registered separately under the names of a man and his wife shall be considered as a single private property unit, except in case of marriage under the separate property system.

Art. 5 - This law does not apply to the following categories of land:

1. Land presently directly cultivated by landowners or their spouses or parents or children or legal heirs not exceeding 15 hectares. Landowners directly cultivating have the right to hire laborers to farm.
2. Ancestral worship land (Huong Hoa, Hau Dien, and Ky Dien) and cemetery land not exceeding 5 hectares for each family.
3. Land presently owned by religious organizations.
4. Industrial cropland and orchard land (excluding crops having a life of less than one year).
5. Industrial building sites.
6. Salt fields, lakes and ponds, and pasture land on livestock farms.

7. Land designated on maps for urban planning, residential areas, and gravesites.
8. Land in experimental centers and agricultural demonstration projects.
9. Land specifically reserved in Montagnard Buons and hamlets in accordance with Decree-Laws 033/67 and 034/67 dated August 29, 1967.
10. Land for public interest.
11. Land that has never been planted in rice and is cleared after promulgation of this law.

Art. 6 - Categories of lands indicated in items 2, 3, 4, 5, 6, 8, 10 and 11 of Art. 5 shall be governed by separate supplemental Laws.

Any change in land use aimed at avoiding application of this law will be considered null and void.

### CHAPTER III

#### LANDLORD COMPENSATION

Art. 7 - Landlords having land expropriated will be compensated quickly and fairly.

The rate of compensation will be determined by a Special Committee. This Committee shall be established by a Decree.

Art. 8 - The rate of compensation shall be equivalent to two and one-half times the annual paddy yield of the land. Annual yield means the average yield during the past five years.

Art. 9 - Landlords shall be compensated according to the following standards:

- 20% of the value of the expropriated land shall be paid immediately in cash
- the remainder shall be paid in bonds guaranteed by the Government over eight years and bearing 10% interest.

In case land ownership and usufruct right belong to two different persons, the compensation to each of them should be determined by the Special Committee mentioned above.

Art. 10 - Bonds may be pledged, transferred, used as payment of hypothecs and payment of land tax, or to buy shares in private or national enterprises.

Art. 11 - Rights of privileged creditors, pledgers, hypothecators or heirs will become the creditors' right with respect to the amount of compensation to landlords based on the legal status of the land in the **Land Register**.

#### CHAPTER IV

##### BENEFICIARIES

Art. 12 - Land for distribution will be distributed free of charge to each farm family with a maximum area of:

- 3 hectares in Southern Vietnam
- 1 hectare in Central Vietnam

A farm family is comprised of parents, spouse and children living together in a house and listed on the family card.

Art. 13 - Land for distribution shall be distributed in the following order of priority:

1. Present tiller. Present tillers are those people cultivating land belonging to another person.
2. Parents, spouse or children of war dead who will directly cultivate the land, if they have submitted an application.



3. Soldiers, civil servants and cadre when discharged or retired who will directly cultivate the land, if they have submitted an application.
4. Soldiers, civil servants and cadre who had to abandon cultivation because of the war, if they have submitted an application in order for their family to directly cultivate the land.
5. Farm laborers who will directly cultivate the land, if they have submitted an application.

In any case, land distributed added to land already owned cannot exceed the area fixed in Article 12.

Art. 14 - Persons receiving land are exempted from registration tax, stamp tax, land administrative fees and all other fees relating to the transfer of land, and shall be exempted from any tax related to the distributed land in the first year.

Art. 15 - Persons receiving distributed land must directly cultivate the land themselves.

For a period of 15 years starting from the date he becomes owner, persons receiving land distributed under this law cannot transfer ownership, or agree to establish real right on the land received except in case of prior official authorization. A person who has sold distributed land, or his spouse, will not be given land a second time.

Art. 16 - Any farmer who has received expropriated land under Ordinance 57 or former French-owned land and has not completed purchase payments to the Government shall be exempted from payment of the balance due. Persons who have paid over 50% of the purchase price will not be subject to Article 15 of the law.

## CHAPTER V

### PUNITIVE MEASURES

Art. 17 - Any person acting to prevent implementation of this law will be sentenced from six months to three years imprisonment or fined from VN\$ 20,000 to VN\$ 200,000 or both.

Art. 18 - Any landlord as determined in Article 5, paragraph 1, who refuses to directly cultivate his land shall have his entire property expropriated without compensation.

Art. 19 - Any farmer violating Article 15 by not directly cultivating the land will be expropriated without compensation. The land shall be redistributed to other farmers under the provisions of this law.

Art. 20 - Any lawsuit that occurs in the implementation of this law will be under jurisdiction of the Land Court, composed of professional judges.

Any violation of provisions regarding penal law will be under jurisdiction of the Civil Court.

## CHAPTER VI

### COMMON PROVISIONS

Art. 21 - Regulations for implementation of this law shall be fixed by Decree.

Art. 22 - Any provisions contrary to this law are cancelled.

This law will be promulgated according to emergency procedures and published in the Official Journal of the Republic of Vietnam.

Saigon, 26 March 1970

s/ Nguyen van Thieu

## DECREE

No. 072-SL/CCDD-PTNNN dated June 5, 1970

Stipulating procedures for implementation of Law No. 003/70 dated March 26, 1970 fixing the policy of Land-to-the Tiller.

THE PRIME MINISTER OF THE GOVERNMENT,

Having considered the Constitution of the Republic of Vietnam dated April 1, 1967;

Having considered Decree No. 394-TT/SL dated September 1, 1969 fixing the composition of the Government;

Having considered regulations in force regarding land administrative systems and public lands;

Having considered Ordinance No. 57 dated October 22, 1956 and subsequent statutes stipulating the Land Reform;

Having considered Law No. 003/70 dated March 26, 1970 fixing the policy of Land-to-the-Tiller.

### DECREES

Article 1 - Law No. 003/70 dated March 26, 1970 stipulating the Land-to-the-Tiller policy shall be implemented under the provisions set forth in this Decree.

### CHAPTER I

#### GENERAL PRINCIPLES

Article 2 - Expropriation of cultivated land throughout the territory of the Republic of Vietnam as provided in Article 2, Law No. 003/70, except lands enumerated in Article 5 of

this law, shall be effective March 26, 1970.

With respect to uncultivated lands, expropriation will be made when there is application requesting distribution submitted by eligible persons as stipulated in Article 13 of the above-mentioned law.

Lists of expropriated land will be established by Land Affairs Agencies and approved by the Ministry of Land Reform, Agriculture and Fishery Development after ownership right and the current status of cultivation are confirmed.

Article 3 - Regarding lands not subject to the provisions of Law No. 003/70, regulations in force will apply temporarily until new laws are promulgated as stipulated in Article 6 of the above mentioned law.

## CHAPTER II

### SCOPE OF APPLICATION

Article 4 - Law No. 003/70 will apply to riceland and secondary crop land.

Considered as secondary crops are all crops for food other than rice that have a life of less than one year, except vegetables.

Also to be distributed under the provisions of this Decree, are ricelands and secondary crop lands belonging to the privately used State Domain, privately used Provincial Domain.

Distribution of rice and secondary crop land belonging to the privately used Village Domain (communal land) which is already leased or equally distributed shall be governed by a separate Decree.

State lands cleared by squatter farmers that become productive

land will continue to be distributed under the regulations governing Public Land (State Domain Concession).

Article 5 - Land recorded in the Land Register under the name of the owner or recorded separately under the name of a man and his wife (except in case of marriage under the separate property system) shall be considered as a single private property unit.

Land recorded under the name of a deceased landlord shall be considered as a single private property unit owned by the entire group of heirs benefitting from the heritage.

Any transfer not registered prior to the promulgation of Law No. 003/70 is null and void with respect to the implementation of this Law, except for proof of right for compensation of expropriated lands.

However, the following deeds shall be considered as not contrary to the spirit of this Law and shall be accepted for registration if regular:

- a. Land transfer deeds with respect to riceland and secondary crop land established in favor of a present tiller within the area limit fixed by the Law, for a landowner who is directly tilling the land.
- b. Land transfer deeds, or deeds establishing worship land with respect to riceland and secondary crop land which were established with a true date prior to March 26, 1970, the date of promulgation of Law No. 003/70.

Article 6 - Landlords who, at the promulgation date of Law No. 003/70, were directly tilling their lands, have the right to retain up to 15 hectares. The excess portion of directly cultivated land shall be expropriated for distribution to eligible persons.

Considered as landlords who are directly tilling their land, are landlords who cultivate themselves, or through their spouse or parents or children or legal heirs.

Landlords who are directly cultivating their land have the right to hire laborers for cultivation.

In case landowners have had to leave their directly cultivated land because they have entered military service or have left communist areas as refugees, and that land is still left uncultivated, those lands will be considered as directly cultivated and landowners may retain an area up to the maximum limit of 15 hectares.

Article 7 - Not subject to Law No. 003/70 are worship lands (huong hoa, hau dien, ky dien) up to an area limit of 5 hectares for any landlord who established it. Cemeteries also are not subject to the above mentioned Law.

With respect to scattered tombs, expropriated landowners may retain 100 square meters for each tomb and will benefit from servitude of passage to the tomb.

Article 8 - Lands owned, at the promulgation date of Law No. 003/70, by Catholic organizations, Churches, Pagodas, Cao Dai Temples, Temples, Village Common Temples and Cultural Shrines, shall not be subject to the provisions of this Law.

Also, lands registered under the name of a physical person but which have been listed, at the promulgation date of Law No. 003/70, in a regular deed specifying that the income will be used for worship purposes in Churches, Pagodas, Cao Dai Temples, Temples, Village Common Temples and Cultural Shrines are not subject to the provisions of the above mentioned Law.

Article 9 - Law No. 003/70 shall not apply to land planted with fruit trees and other trees where the crop furnishes material for industrial needs.

Article 10 - Industrial building sites including buildings and lands needed for business enterprises are not subject to Law No. 003/70.

Article 11 - Not subject to Law No. 003/70 are salt fields, lakes and ponds, and pastures on livestock farms, permanently exploited for those purposes.

Article 12 - Not within the scope of provisions of Law No. 003/70 are lands inside the perimeters outlined on approved urban planning maps, and lands within the administrative perimeter of the Saigon capital, province capitals, cities and other population centers.

Article 13 - Law No. 003/70 shall not govern lands in experimental centers and agricultural demonstration projects under direct management of the Government.

Article 14 - Not subject to the provisions of Law No. 003/70 are lands specified in a legal act that are declared as being in the nature of public interest. In case the legal act does not yet exist, the user Agency has 3 months to make a declaration as stipulated in Article 17 below, and another 6-month period to complete processing the declaration for being in the nature of public interest.

After the deadline, if the public interest nature is not recognized in accordance with regulations in force, the land will be expropriated under the provisions of this Decree.

Article 15 - National Domain that has never been cleared before and that private persons or legal entities claim for cultivation after the date of promulgation of Law No. 003/70 will not be governed by this Law.

Article 16 - Worship land (huong hoa, hau dien, ky dien) to be retained within the maximum limit fixed by the Law, shall be indicated by the landowner who established the worship land, and in case of his death, by the Family Council, or in case the Family Council cannot be convened, by the beneficiary.

Excess land shall automatically become normal land and be expropriated.

Article 17 - Exempted lands as stipulated in Article 5 of Law No. 003/70 must be declared by landowners within a period of 3 months beginning from the date of a Communique to be issued by the MLRAFD.

Landowners who do not declare within the given period shall not have the right to complain against distribution.

Article 18 - After the promulgation of Law No. 003/70, any changes in land use with respect to lands subject to the provisions of the Law aimed at avoiding application of the Law are null and void, and those lands shall be expropriated for distribution to eligible persons.

Considered as change in use are any changes shifting riceland and secondary crop land into other categories of land.

### CHAPTER III

#### COMPENSATION

Article 19 - Landowners having land expropriated shall be compensated according to the lists of expropriated land. Expropriated lands from Domains shall also be compensated, excluding lands in the National Domain.

Valuation of the expropriated land will be made as of the promulgation date of Law No. 003/70.

The amount of compensation for expropriated land will also be calculated as of the promulgation date of Law No. 003/70.

Article 20 - Compensation shall be based on documentation from Land Registers or from the results of ownership investigations.



Ownership investigation processing shall be determined by an Arrete of the MLRAFD.

Article 21 - The compensation value shall be equivalent to two and one-half (2.5) times the annual yield, that is the natural annual yield.

This yield is the average yield during the past 5 years, that is 5 years prior to the promulgation date of Law No. 003/70, and in case of lack of determining factors it will be based on the yield of land of the same nature in the neighborhood.

Article 22 - Landlords shall be compensated according to the following standards:

- 20% (twenty percent) of the value of expropriated land shall be paid in cash
- the remainder shall be paid in bonds in 8 annual installments guaranteed by the Government and bearing 10% annual interests.

Article 23 - A Special Committee called the Compensation Committee will be established, with the following composition:

- |  |              |
|--|--------------|
| - Minister of Land Reform and Agriculture<br>and Fishery Development | Chairman     |
| - Minister of Finance  | Commissioner |
| - Minister of Economy  | "            |
| - Minister of Interior   | "            |
| - Minister of Justice  | "            |
| - Director General of Budget and Foreign Aid                         | "            |

- Director General of Land Affairs Reporting  
Commissioner
- A person appointed by the Ministry  
of Land Reform and Agriculture and  
Fishery Development  
(no right of vote) Secretary

This committee has the following responsibilities:

- Determine the rate of land compensation to landlords based on information furnished by the Village Land Distribution Committee mentioned in Article 33 of this Decree.
- Determine procedures and the Agency for settlement of compensation.
- Determine denominations and form of bonds.
- Determine procedures for use and transfer of bonds.
- Determine the formula for dividing the compensation money between the bare owner and the usufructuary.

Decisions of this Committee will be valid for execution.

Article 24 - Funds to be used for the implementation of Law No. 003/70 will be deposited into the Land Reform Special Fund established by Decree No. 2-DT/CCDD dated January 4, 1957.

Article 25 - Bonds issued under the provisions of Law No. 003/70 may be pledged, transferred, and used for legal tender for mortgage debts, hypothecs debts, and paying land taxes.

These bonds may be also used to buy shares in private or national enterprises.

Article 26 - Expropriation will eliminate automatically all real estate rights or encumbrances which applied to the land.

Rights of privileged creditors, pledgers, hypothecators, or real estate right's beneficiaries, or encumbrance right's beneficiaries will become creditors' rights with respect to the amount of compensation to landlords, and only up to the amount of compensation for lands expropriated, based on the legal status of the lands in the Land Register.

Article 27 - The amount of compensation shall be divided among landlords, creditors and other beneficiaries.

Persons involved will approve the amount distributed and sign the statement of agreed partition of settlement in the presence of the Agency in charge and at the same time they will approve the cancellation of the entry recorded to protect their rights. The concerned Provincial Land Affairs Service will, based on this statement, carry out cancellation of those recorded entries.

In case of disagreement among the interested parties or in case of an obstacle, the Agency in charge of settlement mentioned above will make a memorandum indicating the failure to partition, and will deposit the amount of compensation with the Treasury; then it is up to the interested parties to bring the case to the concerned Land Court. The memorandum stating failure to partition, attached to the receipt for the deposit of the compensation sum, will be valid for cancellation of the entry recorded to protect the real estate rights and encumbrances upon the concerned land.

Article 28 - Within a period of 3 months starting from the date of a Communique issued by the MLRAFD, landlords shall declare all their lands subject to Law No. 003/70.

Landlords who do not declare within the given period will not have the right to complain about a delay in compensation.

#### CHAPTER IV

#### DISTRIBUTION

Article 29 - Farmers requesting land for distribution shall

apply with the Administrative Committee of the Village in which the land is located, beginning from the date of promulgation of this Decree.

Article 30 - Land expropriated under the provisions of Law No. 003/70 will be distributed free of charge to each farm family with a maximum area of:

3 hectares in Southern Vietnam  
1 hectare in Central Vietnam

The area mentioned above is a standard of basic private property for private ownership; it does not mean equal distribution of land to each beneficiary.

The areas presently cultivated, but less than the maximum, will be distributed in its entirety to the farmer who is tilling it.

In case the area presently cultivated exceeds the maximum limit, the present tiller shall receive ownership up to the maximum limit; the excess portion will be temporarily retained for farming by the present tiller until the Government needs it.

Article 31 - A distribution unit will be based on the elements of a farm family comprised of parents, spouse and children living together in one house and listed on the family card.

However, children who are of majority or married shall be considered as a separate family and each is eligible to benefit as a distribution unit.

Article 32 - Lands shall be distributed according to the following order of priority:

1. Present tiller

Present tillers are those people cultivating land belonging to another person, with or without a lease contract, including share-croppers, but must have been tilling at least one crop season prior to the promulgation date of Law No. 003/70.

Regarding land left uncultivated, farmers who begin cultivation after the promulgation date of Law No. 003/70 shall also be considered as present tillers after they have cultivated it for one crop season.

2. Parents, spouse or children of war dead who will directly cultivate the land, if they have submitted an application.

War dead are servicemen from ARVN, regional forces, popular forces, people self defense forces, civil servants, cadre and village and hamlet officials who died during or as a result of carrying out their duties.

3. Soldiers of all services, and civil servants of all grades and cadre of all branches when discharged or retired who will directly cultivate the land, if they have submitted an application.

4. Soldiers, civil servants, cadre, as defined in paragraph 3 above, who had to abandon cultivation because of the war, if they have submitted an application in order for their family to directly cultivate the land. Family here comprises parents, spouse and children.

5. Farm laborers who will directly cultivate the land, if they have submitted an application.

Farm laborers are those persons who permanently hire out their labor to farm for others. Not considered as farm laborers are those entrepreneurs who are paid for their tasks.

Article 33 - In each village there will be established a Village Land Distribution Committee with the following composition:

- |   |                        |
|---|------------------------|
| - Village Chief   | Chairman               |
| - A representative of the Village Council                               | Commissioner           |
| - Village Commissioner for Land Reform and Agriculture                  | "                      |
| - Concerned Hamlet Chief  | "                      |
| - Village Land Registrar  | Reporting Commissioner |
| - A person from the Village Administrative Committee (no right of vote) | Secretary              |

This Committee is responsible for:

- Ownership investigation.
- Check and approve the present status of the land.
- Determine the average yield of expropriated land.
- Examine and make a decision on applications for land distribution.

In any meeting to determine yields for expropriated land, and only in meetings for this matter, the Village Land Distribution Committee can invite a landlord representative who owns land located in the village and resides there, and he shall have the right to vote. In case the number of votes are equal, the opinion of the Chairman shall be decisive.

Article 34 - A distribution list will be posted at the Village office for a period of 7 days.

After the posting period, the Village Chief will forward the distribution dossier to the office of the Province Chief (Province Land Affairs Service) for control. Dossiers in proper order will be transmitted by the Province Chief to the Ministry of Land Reform and Agriculture and Fishery Development for issuance of a distribution Arrete. If there are disputes, the dossier will be transmitted by the Province Chief to the Land Court for settlement.

Article 35 - Persons receiving land are exempted from registration tax, stamp tax, land administration fees, and all other fees relating to the transfer of land ownership.

Persons receiving lands are also exempted from land tax and other taxes relating to distributed land in the first year.

Regarding expropriated land and former French-owned lands distributed under Ordinance 57, farmer recipients who have paid over 50% of their installments will be exempted from land taxes during 12 years starting from the date they received land as stipulated in Decree-law No. 038/67 dated October 2, 1967.

Recipients who have paid less than 50% of their installments will be exempted from land tax for only one year beginning with the promulgation date of Law No. 003/70.

Article 36 - Persons receiving distributed land must directly cultivate the land themselves.

For a period of 15 years starting from the date they become owners, except in case of transfer to direct heirs or establishment of real estate right with a governmental Credit Agency, persons receiving land distributed under Law No. 003/70 cannot transfer ownership, or agree to establish real right on the land received if they do not have prior authorization of the Ministry of Land Reform and Agriculture and Fishery Development.

A person who has sold land distributed under Law No. 003/70 or his spouse, will not be given land a second time.

Article 37 - Any farmer who has received expropriated land under Ordinance 57 or former French-owned land and has not completed purchase payments to the Government shall be exempted from payment of the balance due.

Persons who have paid over 50% of the purchase price at the promulgation date of Law No. 003/70 will not be subject to the 15-year ban period stipulated in Article 15 paragraph 2 of this Law, and will not be subject to the 6-year ban period stipulated in Article 16 of Ordinance 57 dated October 22, 1956. Modified by Decree Law No. 047/67 dated October 30, 1967.

Farmers who have paid less than 50% will be subject to the 6-year ban period stipulated in Article 16 (new) of Ordinance 57 mentioned above.

Article 38 - Lands expropriated under Ordinance 57 and former French-owned lands not yet distributed will be distributed under the provisions of Law No. 003/70, starting from the date of issuance of this Decree.

#### CHAPTER V.

#### PUNITIVE MEASURES

Article 39 - Any person acting to prevent the implementation of Law No. 003/70 will be sentenced from 6 months to 3 years imprisonment or fined from VN\$ 20,000 to VN\$ 200,000 or both.

Article 40 - Land retained by landlords under the provisions of Article 5 paragraph 1 of Law No. 003/70, or distributed to farmers under the provisions of this Law that are not directly cultivated by the landlord who retained it or the farmer who received it, will be expropriated without compensation, with respect to the whole area.



Also expropriated without compensation will be lands mentioned in the paragraph above if they are abandoned during 2 consecutive harvest-seasons without valid reason.

Article 41 - Any lawsuit that occurs in the implementation of Law No. 003/70 will be under jurisdiction of the Land Court.

Any violation of provisions regarding penal law will be under jurisdiction of the Penal Affairs of Civil Court.

## CHAPTER VI

### COMMON PROVISIONS

Article 42 - In order to implement Law No. 003/70 and this Decree, the MLRAFD is authorized to use all necessary means and facilities, including facilities from other Ministries and Agencies which may support it, such as aerial photography, electronic equipment and Automatic Data Processing.

The local Land Affairs Agencies and Village Land Distribution Committees are also authorized to use aerial photography.

Article 43 - In order to solve difficulties and obstacles in the implementation of Law No. 003/70 a Council will be established called the Central Land Reform Council, composed of:

- |  |               |
|--|---------------|
| - Prime Minister   | Chairman      |
| - Minister of Land Reform and Agriculture<br>and Fishery Development | Vice Chairman |
| - Minister of Interior   | Member        |
| - Minister of Finance  | "             |
| - Minister of Justice  | "             |

- Minister of Rural Development	Member
- Minister of Economy	"
- Minister of Defense	"
- Minister of Labor	"
- Minister of Veterans Affairs	"
- Director General for Land Affairs	Reporting Member
- A person from the Ministry of Land Reform and Agriculture and Fishery Development (no right of vote)	Secretary

If necessary, the Council may invite representatives of other agencies or bodies relating to the subject discussed, to attend meetings in order to have their opinions.

Article 44 - The Central Land Reform Council will be convened by the Chairman upon proposal of the Minister of Land Reform and Agriculture and Fishery Development.

Decisions made by the Central Land Reform Council are valid and final for execution. The Ministry of Land Reform and Agriculture and Fishery Development bears responsibility for carrying out decisions of the Council or for transmitting those decisions to related Ministries or agencies for execution.

Article 45 - Existing Land Courts will temporarily continue to work until a new organization for Land Courts is established.

Article 46 - The Ministry for Land Reform and Agriculture and Fishery Development will determine details concerning the implementation of this Decree.

Article 47 - Any provisions contrary to this Decree are cancelled.

Article 48 - The Deputy Prime Minister, Ministers without portfolio, Ministers, Secretaries of State, Vice Ministers and Province Chiefs shall implement this Decree in accordance with their responsibilities.

This Decree shall be published in the Official Journal of the Republic of Vietnam.

Saigon, June 5, 1970

s/ Tran thi Khiem

Prime Ministry  
No. 11-SL/Th.T/CV

THE PRIME MINISTER OF THE GOVERNMENT,

In view of the Constitution of the Republic of Vietnam, dated  
April 1, 1967,

.....

Considering the needs of service,

DECREES THE FOLLOWING:

Art. 1 - Now is hereby established a Civil Service Committee in charge of examining the recommendations of employees and civil servants of various cadres for supervisory positions in central and local agencies, and studying measures for improvement of the Civil Service System.

Art. 2 - The responsibilities of this Committee shall be:

1. To develop procedures for appointment of employees and civil servants to supervisory positions by:
  - Determining qualifications standards to assist the Ministers or Secretaries of State in the selection and appointment of candidates for the positions of bureau chief, service chief or similar positions.
  - Recommending a list of candidates eligible for the positions of director, deputy director general or similar positions, for selection and appointment by the Ministers or Secretaries of State concerned.

- Recommending a list of candidates eligible for the positions of secretary general, director general, inspector general and similar positions for selection and appointment by the Prime Minister.
2. To study measures for standardization of personnel management by:
- Determining the responsibility of the Ministries' directors of personnel toward the Ministries and toward the Directorate General of Civil Service,
  - Researching and establishing methods of development and evaluation of personnel management practices in public services to attain efficiency in the civil service system.

Art. 3 - The Committee is composed of:

- |   |          |
|---|----------|
| - The Secretary of State at the P.M. Office       | Chairman |
| - The Director General for Budget and Foreign Aid | Member   |
| - The Director General for Civil Service          | Member   |

Art. 4 - The Committee shall meet on the convocation of the Chairman.

Art. 5 - The Vice Prime Minister, Ministers of State, Ministers, Secretaries of State and Vice Ministers are charged of the execution of the present decree, as far as their duties are concerned.

Saigon, January 26, 1970

s/ Tran thien Khien

Prime Ministry  
No. 020-SL/Th.T/CV

THE PRIME MINISTER OF THE GOVERNMENT,

In view of the Constitution of the Republic of Vietnam, dated  
April 1, 1967,

.....

Considering Decree No. 11-SL/Th.T/CV of Jan. 26, 1970 establishing a Civil Service Committee,

DECREES THE FOLLOWING:

Art. 1 - Art. 2 of Decree No. 11-SL/Th.T/CV of Jan. 26, 1970 establishing a Civil Service Committee is amended as follows:

"Art. 2 (new) - The responsibilities of this Committee shall be:

1. To develop procedures for appointment of employees and civil servants to supervisory positions by:
  - Determining...
  - Recommending...
  - Recommending...
2. To study measures for standardization of personnel management by:
  - Determining...
  - Researching...
3. To make researches and to submit all recommendations for standardization of the organization of the Ministries and the central and local administrative agencies.

4. To determine the Allocation lists for the Ministries and the central and local administrative agencies, as well as to make decisions on the increase or decrease of future personnel strengths.

Art. 2 - The Vice Prime Minister, Ministers of State, Ministers, Secretaries of State and Vice-Ministers, are charged of the execution of the present decree, as far as their duties are concerned.

Saigon, February 14, 1970

s/ Tran thien Khiem

Prime Ministry

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No. 25-SL/Th.T/PC.1

THE PRIME MINISTER OF THE GOVERNMENT,

In view of the Constitution of the Republic of Vietnam,  
dated April 1, 1967,

Considering Decree No. 394-TT/SL of Sept. 1, 1969, fixing  
the composition of the Government,

Considering Decree No. 202-SL/PTNT of Dec. 23, 1969, and  
subsequent texts fixing the organization of the Ministry  
for Rural Development,

Considering Decree No. 117-SL/XD of August 17, 1967,  
establishing the People's Desire Program,

By the needs of service,

DECREES THE FOLLOWING:

Art. 1 - The People's Desire Program is hereby dissolved  
in the whole territory of the Republic of Vietnam, effective  
March 1, 1970.

The Central People's Desire Center of the Ministry for  
Rural Development is charged with the liquidation of this  
program during the period of time from March 1 to June 30,  
1970.

Art. 2 - The Minister for Rural Development, all Province  
Chiefs and Mayors are charged, each as to that which concerns  
him, with the execution of the present decree.



The present decree shall be published in the Official  
Journal of the Republic of Vietnam.

Saigon, February 25, 1970

s/ Tran thien Khiem

Prime Ministry  
No. 163-ND/ThT/PC2

THE PRIME MINISTER OF THE GOVERNMENT,

In view of the Constitution of the Republic of Vietnam  
dated April 1, 1967,

Considering Decree No. 394-TT/SL of September 1, 1969,  
determining the composition of the Government,

Upon the recommendation of the Minister of State for  
Reconstruction and Development,

ENACTS THE FOLLOWING ARRETE:

Art. 1 - There is hereby established a Committee designated  
Vietnam-Japan Economic Development and Collaboration Committee.

Art. 2 - This Committee has the following responsibilities:

- To study and recommend to the Government means for developing collaboration between Japan and Vietnam in the field of economy and social welfare
- To consult with the Japanese responsible for the reconstruction and economy development, and social improvement projects of Japan which may be of assistance to the Republic of Vietnam.
- To study and recommend measures to the Government for increasing trade between Japan and Vietnam.
- To establish liaison and contacts with Japanese economic organizations and businessmen in order to encourage Japanese private investment in the Republic of Vietnam.

- To coordinate the implementation of economic and social assistance and collaboration projects between Japan and Vietnam.

Art. 3 - The composition of the Vietnam-Japan Economic Development and Collaboration Committee is fixed as follows:

- The Minister of State for Reconstruction and Development..... Chairman
- The Foreign Affairs Minister or his Representative..... Member
- The Finance Minister or his Representative..... "
- The Economy Minister or his Representative..... "
- The Land Reform, Agriculture and Fishery Development Minister or his Representative..... "
- The Public Works Minister or his Representative..... "
- The Communications and Post Minister or his Representative..... "
- The Social Welfare Minister or his Representative..... "
- The Health Minister or his Representative... "
- The Director General for Budget and Foreign Aid..... "
- The Director of Cabinet of the Minister of State for Reconstruction & Development... Secretary General

Art. 3 - The Minister of State for Reconstruction and Development, the interested Ministers are charged, each as to that which concerns him, of the execution of the present arrete.

Saigon, 16 Feb. 1970

s/ Tran thien Khiem

Prime Ministry  
No. 035-TT/Th.T/CV

CIRCULAR NOTE

FROM: The Prime Minister of the Government

TO : MM. Vice Prime Minister  
- Ministers of State  
- Ministers  
- Secretaries of State  
- Vice Ministers

SUBJ: Standards for appointment to supervisory administrative positions

Circular Note No. 192-TT/Th.T/CV of 16 Dec. 1969 commented on the cadre and echelon standards to be applied in appointments to supervisory positions.

These standards have not been fully respected due to the present lack of qualified civil servants meeting the minimum requirements of cadre and echelon as specified in the statutes of the cadre.

In recognition of the above shortcomings and in order to retain the standards for supervisory positions, upon the recommendation of the Civil Service Committee and pending the training of enough employees of the appropriate cadres, it is necessary to modify temporarily the minimum requirements of cadre and echelon appointment to administrative supervisory positions as follows:

Position	Cadre	Echelon
- Secretary General - Director General	Field Administrator	Principal, 3rd class, and above, with at least 2 year seniority in the position of Director
- Deputy Secretary General - Deputy Director General	Field Administrator	1st class and above with at least 2-year seniority in the position of Director or Service Chief
- Director	Field Administrator	3rd class and above with at least 2-year seniority in the position of Service Chief
- Service Chief	Field Administrator	Assistant Field Administrator 1st class and above
- Acting Service Chief	Administrative Senior Clerk	Principal and above with at least 2-year seniority in the position of Bureau Chief
- Bureau Chief	Field Administrator Administrative Senior Clerk	Titularized (Regular, not conditional, or on probation)
- Acting Bureau Chief	Administrative Clerk	Principal and above

In regard to technical positions, Ministries may also base upon the above standards to select and appoint the civil servants of technical cadres of the same classes.

I hope that you will try to implement seriously the above instructions and to regularize appointments which do not meet these standards.

Saigon, 21 February, 1970

s/ Tran thien Khiem

Republic of Vietnam  
Prime Ministry  
No. 049-TT/ThT/QTCS

Saigon, 12 March 1970

THE PRIME MINISTER OF THE GOVERNMENT

TO: MM. The Vice Prime Minister  
Ministers of State  
Ministers  
Secretaries of State  
Vice Ministers

SUBJECT: Management Improvement Projects

I have the honor to inform you that the Prime Ministry has just concluded a Basic Agreement with the US Agency for International Development on the implementation of a number of technical assistance projects, namely: training of Training Directors for ministries, provinces, cities and autonomous agencies; training of O&M analysts for ministries and agencies; management and organizational improvement of the Ministry of Land Reform, Agriculture and Fishery Development; improvement of the efficiency of the Directorate General of Civil Service; establishment of an effective reporting system at the Prime Ministry.

In order for the Prime Ministry to have full knowledge of their requirements and to provide support to the Ministries in carrying out the reform projects, and to make most efficient use of the USAID Public Administration Division's assistance, ministries are requested to inform the Prime Minister's office of all important administrative reform projects now in process or under consideration.



As for proposed projects, the Prime Ministry will examine them individually, determine their priority, coordinate them to avoid duplication, merge them, if necessary, etc... and will transmit them to the Public Administration Division, USAID. Afterwards, each project will be discussed in detail by the interested Ministry, the Public Administration Division and the Prime Ministry, and will be implemented by means of a specific project.

Henceforth ministries and agencies of government which wish to request the technical assistance of the Public Administration Division on Management Improvement Projects shall forward their proposals with the complementary file to the Prime Ministry for review and liaison with the Public Administration Division. Notwithstanding this, the Ministries and agencies may also have contact with the Public Administration Division to consult with specialists or to request their assistance in preliminary project studies.

s/ TRAN THIEN KHIEM  
Prime Minister